

UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

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No. 12-1159

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IN RE: BRENNEIS A. NESBITT,  
Petitioner

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On a Petition for Writ of Mandamus from the  
District Court of the Virgin Islands  
(Related to D.V.I. Crim. No. 04-cr-00077/D.V.I. Civ. No. 09-cv-00126)

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Submitted Pursuant to Rule 21, Fed. R. App. P.  
February 2, 2012  
Before: AMBRO, JORDAN AND VANASKIE, Circuit Judges  
(Opinion filed February 8, 2012)

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OPINION

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PER CURIAM

On January 24, 2012, Brenneis Alister Nesbitt filed a petition for writ of mandamus requesting that we direct the District Court to rule on a motion that he had filed pursuant to 28 U.S.C. § 2255. On that same day, the District Court ruled on Nesbitt's § 2255 motion. In light of the District Court's action, the question Nesbitt presented is no longer a live controversy, so we will deny the petition as moot. See, e.g., Lusardi v. Xerox Corp., 975 F.2d 964, 974 (3d Cir. 1992).